Attorney Docket No: 102792-587

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION OF:	DIANA OEHMS
SERIAL NO:	10/595,924
FILED:	MAY 19, 2006
TITLE:	**INJECTION MOLDED CONTAINERS**
ART UNIT:	3721
EXAMINER:	LOUIS K. HUYNH

MAIL STOP APPEAL BRIEF **August 11, 2009**
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

APPELLANTS' BRIEF ON APPEAL PURSUANT TO 37 CFR § 41.37

SIR:

This Amended Brief on Appeal is being filed in response to the Notification of Non-Compliant Appeal Brief dated July 31, 2009. The Notification stated that the Amended Appeal Brief filed on September 30, 2008 was defective for failing to contain a brief statement of the status of all claims according to 37 C.F.R. §41.37(c)(1)(iii). This Amended Brief is believed to overcome the issues raised in the Notification.

This brief is an appeal from the final rejection of claims 3-24 of the present application.

(1) REAL PARTY IN INTEREST

The real party in interest is Reckitt Benckiser N.V. by virtue of an assignment recorded in the United States Patent and Trademark Office on August 9, 2006, at Reel 018085, Frame 0560.

(2) RELATED APPEALS AND INTERFERENCES

There are no related appeals or interferences.

(3) STATUS OF CLAIMS

(4) STATUS OF AMENDMENTS

In response to the Final Office Action dated January 22, 2009, the appellants filed a Notice of Appeal. There are no unentered or pending amendments to the claims.

(5) SUMMARY OF THE CLAIMED SUBJECT MATTER

(6) GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

I.

(7) ARGUMENT

(8) CONCLUSION

In view of the foregoing, Appellants respectfully request that the Honorable Board reverse the final rejection.

ADDITIONAL FEE

Please charge any insufficiency of fees, or credit any excess, to Deposit Account No. 14-1263.

Respectfully submitted,

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(9) CLAIMS APPENDIX

1. (cancelled)

2. (cancelled)

3. (previously presented) A process for the manufacture of a single or multi-compartment, rigid, water-soluble container, containing a detergent composition, wherein the container is at least partially formed of injection moulded water soluble polymer; the process comprising the steps of forming the container, keeping the container under substantially anhydrous conditions, filling the container with the detergent composition and sealing the container, wherein the container is allowed to come into contact with, or is brought into contact with a plasticiser after sealing.

4. (previously presented) A process according to claim 3, wherein the container comprises a polyvinyl alcohol (PVOH) polymer or a derivative thereof.

5. (original) A process according to claim 4, wherein the container comprises an additional injection moulded water-soluble polymer, which when dissolved in water is active in detergency.

6. (previously presented) A process according to claim 5, wherein the additional injection moulded water-soluble polymer is selected from polyvinylpyrrolidone, polyacrylic acid or an ester thereof, polymaleic acid or an ester thereof, or a copolymer of any of the foregoing.

7. (previously presented) A process according to claim 4, wherein the water-soluble polymer and additional polymer(s) are simultaneously or sequentially injection moulded.

8. (previously presented) A process according to claim 3 wherein the container is made from a water-soluble receptacle part and is sealed by a water-soluble closure part.

9. (previously presented) A process according to claim 8 wherein the closure part comprises a polyvinyl alcohol film or closure.

10. (previously presented) A process according to claim 8 wherein the receptacle part has side walls which terminate at their upper end in an outward flange, to which the closure part is sealingly secured.

11. (original). A process according to claim 8 wherein the closure part comprises a plastic film.

12. (previously presented) A process according to claim 3 wherein the detergent composition comprises a powder, gel, paste or low water liquid formulation.

13. (previously presented) A process according to claim 10 wherein the container comprises a tablet formulated for delayed or sustained release of a material.

14. (original) A process according to claim 8 wherein the receptacle part comprises an upstanding wall which separates compartments thereof.

15. (previously presented) A process according to claim 8 wherein the closure part is a transparent or translucent material.

16. (previously presented) A process according to claim 3, further comprising the step of joining multiple containers together in an array arrangement, wherein the joined containers are readily separable from each other for use.

17. (previously presented) A method of manufacture of an array as defined in claim 16, which method comprises: forming an array of receptacle parts, each receptacle part being connected to adjacent receptacle parts, but being separable from them by a snap or

tear action; charging the receptacle parts with washing composition; and sealingly securing a sheet of a water-soluble polymer over the top of the array, to form closure parts for all the receptacle parts of the array.

18. (previously presented) A process according to claim 3, which comprises melting the polymer(s), injecting the molten polymer(s) into a mould, removing the rigid water soluble container from the mould and adding the detergent composition into the container.

19. (original) A process according to claim 18 wherein a first polymer and an additional polymer(s) are simultaneously or sequentially injected into the mould.

20. (original) A process according to claim 19 wherein the first polymer and the additional polymer(s) are sequentially injected into the mould, in any order, by one of the following techniques, multi-component injection moulding or sandwich injection moulding.

21. (original) A process according to claim 20 wherein the first polymer and the additional polymer(s) are sequentially injected into the mould, in any order, injection moulding a polymer or molten polymer mix into a mould, removing the solid polymer and inserting into a second mould and injection moulding a second polymer or polymer mix into the second mould.

22. (original) A process according to claim 20 wherein the first polymer and the additional polymer(s) are sequentially injected into the mould, in any order, injection moulding a polymer or molten polymer mix into a part of a mould, injection moulding a second polymer or molten polymer mix into a further part of the mould.

23. (original) A process according to claim 20 wherein the first polymer and the additional polymer(s) are simultaneously injection moulded into the mould as a molten

mix.

24. (previously presented) A process for the manufacture of a single or multi-compartment rigid, water-soluble container, containing a detergent composition, comprising:

(i) forming an array of containers in an injection moulding process;

(ii) removing the array from the mould;

(iii) placing the array in a storage area, substantially free of moisture;

(iv) filling the array of containers with the detergent composition;

(v) placing a closure on the array;

(vi) sealing the containers; and

(vii) separating the array into individual containers.~~;~~

(10) EVIDENCE APPENDIX

None.

(11) RELATED PROCEEDINGS APPENDIX

None.